

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-2(c)

Benjamin J. Ginter, Esq  
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Attorney for Debtor

In Re:  
Jimmy Perez

Case No.: 18-23810  
Chapter: 13  
Judge: MBK

**NOTICE OF REQUEST FOR LOSS MITIGATION – BY THE DEBTOR**

I am/ We are the debtor(s) in this case and hereby request loss mitigation with respect to:

Property address: 1731 S. Central Ave, South Plainfield, NJ 07080

Creditor is the holder of: ☐ first mortgage or ☐ second mortgage.

I/We will make adequate protection payments to the above creditor each month in the following amount during the loss mitigation period: See Loss Mitigation Program and Procedures, Section V.A.1.a and VII.B.

Creditor Select Portfolio Servicing Amount: \$ 1477 Due date: August 1, 2018

☐ I/We request to be excused from using the Loss Mitigation Portal due to undue hardship as set forth in detail below:

I understand that if the court orders loss mitigation in this case I am required to comply with the Loss Mitigation Program and Procedures and will participate in good faith. I understand that Loss Mitigation is voluntary, and that I am not required to enter into any agreement or settlement with any other party as part of this Loss Mitigation, and understand that no other party is required to enter into any agreement or settlement with me. I also understand that I am not required to request dismissal of this case as part of any resolution or settlement that is offered or agreed to during the Loss Mitigation Period. I also certify that the property in question consists only of real property in which I hold an interest used as a principal residence.

Date: 7/12/18

/s/ Jimmy Perez  
Debtor

Date: \_\_\_\_\_

\_\_\_\_\_  
Joint Debtor (if any)

**Debtor Information:**

Print full name: Jimmy Perez

Mailing address: 1731 S. Central Ave, South Plainfield, NJ 07080

Telephone number: \_\_\_\_\_

Email address (if any): \_\_\_\_\_

**Debtor's Attorney Information:**

Name: Benjamin J. Ginter, Esq

Address: 34 Forest Ave, Cranford, NJ 07016

Telephone number: 908-272-6565 Fax number: 484-214-0310

Email address (if any): gintr316@aol.com

**Creditor Information: (if known)**

Name: Select Portfolio Servicing

Address: 3815 S. West Temple St, Suite 2000, Salt Lake City, UT 84115

Telephone number: \_\_\_\_\_ Fax number: \_\_\_\_\_

Email address (if any): \_\_\_\_\_

**Creditor's Attorney Information: (if known)**

Name: KML Law Group

Address: 216 Haddon Ave, Suite 406, Westmon, NJ 08108

Telephone number: \_\_\_\_\_ Fax number: \_\_\_\_\_

Email address (if any): \_\_\_\_\_

**Pursuant to Section V.A.1.a. of the Loss Mitigation Program and Procedures, the above named creditor has 14 days to file with the court, and serve on the debtor, debtor's attorney and trustee, an objection to this Request.**

*Revised 9/19/13*

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**LOSS MITIGATION ORDER**

The relief set forth on the following pages, numbered 2 and 3, is hereby **ORDERED**.

- ☒ A Notice of Request for Loss Mitigation was filed by the debtor on 7/12/18.
- ☐ A Notice of Request for Loss Mitigation was filed by the creditor, Select Portfolio Servicing on \_\_\_\_\_.
- ☐ The court raised the issue of Loss Mitigation, and the parties having had notice and an opportunity to object, and the Court having reviewed any objections thereto.

The Request concerns the following:

Property: 1731 S Central Ave, South Plainfield, NJ 07080

Creditor: Select Portfolio Servicing

- ☐ It is hereby ORDERED that the Notice of Request for Loss Mitigation is denied.
- ☒ It is hereby ORDERED that the Notice of Request for Loss Mitigation is granted, and:
- The debtor and creditor listed above are directed to participate in Loss Mitigation and are bound by the court's *Loss Mitigation Program and Procedures* (LMP).
  - The Loss Mitigation process shall terminate on October 12, 2018 (90 days from the date of the entry of this order, unless extended as set forth in Section IX.B. of the LMP).
  - The debtor must make adequate protection payments to the creditor during the Loss Mitigation Period in the amount set forth in the *Notice and Request for Loss Mitigation*. See Sections V.A.1.a and VII.B. of the LMP.
  - If a relief from stay motion pursuant to section 362(d) is pending upon entry of this Order or if such a motion is filed during the loss mitigation period, the court may condition the stay upon compliance by the debtor with the fulfillment of the debtor's obligations under the Loss Mitigation Order. If the debtor fails to comply with the loss mitigation process and this Order, the creditor may apply to terminate the Order as specified in Section IX.C of the LMP and to obtain relief from the stay.
  - Within 14 days of termination of the loss mitigation period, the debtor must file with the court and serve all interested parties, the Local Form, *Loss Mitigation Final Report* as set forth in Section VII.C. of the LMP.
  - Extension of the LMP may be requested as specified in Section IX.B of the LMP.



☒ It is ORDERED that parties shall utilize the Loss Mitigation Portal during the Loss Mitigation Period, and it is further ORDERED that:

- Within 14 days of the date of this order, the creditor shall ensure that it is registered on the loss mitigation portal and that all of its initial loss mitigation document requirements are available on the portal.
- Within 35 days of the date of this order, the debtor shall upload and submit through the loss mitigation portal a completed Creditor's Initial Package.
- Within 10 business days of the debtor's submission of the Creditor's Initial Package, the creditor shall acknowledge receipt of same and designate the single point of contact for debtor's review.

☐ It is ORDERED that the debtor is excused from use of the Loss Mitigation Portal during the Loss Mitigation Period, and it is further ORDERED that:

- Within 14 days of the date of this order, the creditor shall designate a single point of contact, including the name and contact information of the contact and shall specify to the debtor the forms and documentation the creditor requires to initiate a review of the debtor's loss mitigation options.
- Within 21 days after receipt of the creditor's specifications regarding forms and documentation, the debtor shall provide the requested information.
- Within 10 business days of the debtor's submission, the creditor shall acknowledge receipt of the documentation.